

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING
THURSDAY, NOVEMBER 21, 2019 7:00 P.M.
City Council Chambers
Hurley Building – 205 Saltonstall St., Canandaigua NY
City Website: canandaiguanewyork.gov

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Robert Palumbo
Councilmember Ward 3 Karen White
Councilmember Ward 4 Renée Sutton
Councilmember-at-Large Robert O'Brien
Councilmember-at-Large James Terwilliger
Councilmember-at-Large Stephen Uebbing
Mayor Ellen Polimeni

Absent: Councilmember-at-Large David Whitcomb

Also Present: City Manager, John Goodwin
Clerk-Treasurer Nancy C. Abdallah
Corporation Counsel Terence Robinson, Boylan Code
Assistant City Manager Rob Richardson

Public Hearing: A Local Law 2019-004 Amending Chapter 612 of the Canandaigua Municipal Code Providing for a Room Occupancy Tax in the City of Canandaigua Pursuant to Section 1202-L of New York State Law

Mayor Polimeni opened the public hearing at 7:05 P.M.

- No one was present to speak to the Local Law but Mayor Polimeni received an email from a Bed and Breakfast operator in opposition to the law.

Mayor Polimeni closed the public hearing at 7:07 P.M.

Public Hearing: Local Law 2019-005 Establishing and Imposing Sewer Rents in the City of Canandaigua

Mayor Polimeni opened the public hearing at 7:08 P.M.

- No one was present to speak to this ordinance

Mayor Polimeni closed the public hearing at 7:09 P.M.

Public Hearing: Ordinance 2019-007 Amending Section 850-8 of the City of Canandaigua Municipal Code to Create a New Historic District

Mayor Polimeni opened the public hearing at 7:09 P.M.

- Noted that the Planning Commission is against the grandfathering of this Ordinance

- Judy Smith, Washington St. – Not in favor of this Ordinance. Asked how is it determined to be historic and who will want to buy it when we sell it with all the restrictions. Asked if there was a way to opt out if the homeowner does not want to be in the historic district.
- Margie Wall, Park St.- Not in favor of this Ordinance. We purchased a home that was not in the historic district. Asked how this will affect our taxes and how does this benefit us. Asked what this would affect and City Manager John D. Goodwin responded that this ordinance would affect anything that can be seen from the street. Does not want to be restricted and have to ask permission on things such as what color to paint the door.
- Mike Yarger, property owner in City – Although he cares about preservation is not in favor of this ordinance. Donut holes are arbitrary. This puts restrictions on property owners on what they can and cannot do.
- Nancy Abdallah, Gibson St.- Not in favor of this Ordinance.
- Gary Delduca, Howell St. – property is already in the historic district and has found it to be a positive thing and it is a benefit that the neighborhood retains its character. He has not had any problems with the Planning Commission on any renovations needed on his home.
- Thomas Lyon, West Gibson St.- not in the historic district but is a professional planner and served on the Comprehensive plan which stated that the City wanted to weave in all these side streets to a unified district.

Mayor Polimeni closed the public hearing at 7:30 P.M.

Public Hearing: City of Canandaigua 2020 Proposed Budget

Mayor Polimeni opened the public hearing at 7:30 P.M.

- Mayor Polimeni stated that the City Council is still working on the budget that was presented to Council by the City Manager. Councilmember-at-Large Terwilliger reviewed the challenges the City is facing with the budget.
- Bob Taylor, President of the BID – talked about the BID request for an additional \$10,000 We currently have zero vacancy in the BID, team is working very hard. Fund raising increased by 50% and on a roll with the right people and programs. Looking at turnover and would like to get additional people in place to get established before that happens.

Mayor Polimeni closed the public hearing at 7:40 P.M.

Review of Community Core Values: Councilmember-at-Large Uebbing read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes:

October 3, 2019

Moved: Councilmember-at-Large Terwilliger

Seconded: Council Member Ward 1 Cutri

Vote Result: Carried unanimously by voice vote (8-0)

November 7, 2019

Moved: Councilmember-at-Large Terwilliger

Seconded: Council Member Ward 1 Cutri

Vote Result: Carried unanimously by voice vote (8-0)

Recognition of Guests:

- Laura Sprague, Keuka College Student working on a Master's Degree as an Occupational Therapist— She had an assignment to look at accessibility issues within her community and conducted an accessibility review using the ADA checklist in Baker Park. She wanted to share with Council some of the issues she found. She found many of the sidewalks have cracks and were unlevel which is very unsafe for people using wheelchairs or walkers. It is also very difficult for anyone with a mobility device to access the tennis courts or water fountain. She will forward her findings and checklist to the City and asks that we take a look at the issues.
- Denise Chaapel, BID Downtown Manager- talked about upcoming events in the BID.

Committee Reports:

Planning/Development Committee: No Meeting

Environmental/Parks Committee: No Meeting

Ordinance/PUD Committee: No Meeting

Finance/Budget Committee: Budget Meetings for month of November

Resolutions: No Resolutions

Ordinances:

Ordinance #2019-006: *(Tabled at the October 3, 2019 Council Meeting)*

AN ORDINANCE AMENDING CHAPTER 253 OF THE MUNICIPAL CODE ADDING NEW ARTICLE III ENTITLED CHICKENS

Lifted from the Table: Councilmember Ward 3 White

Seconded: Council Member Ward 2 Palumbo

Vote Result: Carried unanimously by voice vote (8-0)

AMENDMENT

Councilmember Ward 3 White moved to strike item 12B which limits the number of hens they can have. The space limitations would limit the number they can have.

Seconded: Council Member Ward 2 Palumbo

Vote Result: Carried by voice vote (7-1) with Councilmember Ward 4 Sutton against.

AMENDMENT

Councilmember-at-Large Terwilliger moved that we amend the ordinance to limit the number to 15 hens.

Seconded: Councilmember Ward 4 Sutton

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Polimeni.

NOES: None

VOTE ON THE AMENDED ORDINANCE:

Moved: Councilmember Ward 3 White

Seconded: Council Member Ward 2 Palumbo

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Polimeni.

Ordinance #2019-007: (Tabled at the November 7, 2019 Council Meeting)

**AN ORDINANCE AMENDING CHAPTER 850 OF THE MUNICIPAL CODE TO
CREATE A NEW HISTORIC DISTRICT**

This remains on the table

Local Laws:

Local Law #2019-004: (Tabled at the November 7, 2019 Council Meeting)

**A LOCAL LAW AMENDING CHAPTER 612 OF THE CANANDAIGUA MUNICIPAL CODE,
PROVIDING FOR A ROOM OCCUPANCY TAX IN THE CITY OF CANANDAIGUA PURSUANT
TO SECTION 1202-L OF NEW YORK STATE TAX LAW.**

Lifted from the Table: Council Member Ward 1 Cutri

Seconded: Councilmember Ward 3 White

Vote Result: Carried unanimously by voice vote (8-0)

VOTE ON LOCAL LAW

Moved: Council Member Ward 1 Cutri

Seconded: Councilmember Ward 4 Sutton

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Polimeni.

Local Law #2019-005: (Tabled at the November 7, 2019 Council Meeting)

**A LOCAL LAW ESTABLISHING AND IMPOSING SEWER
RENTS IN THE CITY OF CANANDAIGUA**

This remains on the table

Manager's Report: City Manager John D. Goodwin reported the following:

- Leaf collection program will continue throughout November. If time and weather permits DPW will make multiple rounds.
- Remind everyone of the snow and ice policy for the City of Canandaigua.

Miscellaneous: None

Adjournment

Councilmember Ward 4 Sutton moved to adjourn the regular session at 8:10 PM. Council Member Ward 2 Palumbo seconded the motion.

Vote Result: Carried unanimously by voice vote (8-0).

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua